



TITLE IV: ACID RAIN NEW UNIT EXEMPTION

In accordance with Titles IV and V of the Clean Air Act and Missouri State Rule 10 CSR 10-6.270, *Acid Rain Source Permits Required*, the State of Missouri exempts this unit from the requirements of the acid rain program, except for the requirements in 40 CFR §§72.2 through 72.7 and §§72.10 through 72.13.

Installation Name: Higginsville Municipal Power Plant
Project Number: 2006-02-036
Permit Number
ORIS Code: 2131
Unit ID: 5
Effective Date: January 1, 2003

This unit:

- serves one or more generators with a total nameplate capacity of 25 megawatts electric (MWe) or less;
- burns fuel that does not include any coal or coal-derived fuel (except coal-derived gaseous fuel with a total sulfur content no greater than natural gas); and
- burns fuel with a sulfur content of 0.05 percent or less by weight.

Therefore, per 40 CFR 72.7(a), it qualifies for an Acid Rain Program New Unit Exemption.

The owners and operators shall apply the procedures under 40 CFR 72.7(d) for all fuels used by this unit after the effective date above.

This new unit exemption remains in effect as long as the unit meets the criteria in 40 CFR 72.7(a). Per 40 CFR 72.7(f)(4)(ii), the designated representative must submit an acid rain permit application within sixty days of the date when the unit no longer meets these criteria.

Date

Director or Designee
Department of Natural Resources



New Unit Exemption

For more information, see instructions and refer to 40 CFR 72.7

This submission is: ☒ New ☐ Revised

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STEP 1

Identify the new unit by plant name, State, ORIS Code (if assigned) and unit ID#.

HIGGINSVILLE POWER PLANT Plant Name	MO State	2131 ORIS Code	5 Unit ID#
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STEP 2

List to one decimal place the nameplate capacity of each generator served by the unit. Then total these entries and enter the result.

					TOTAL
5.5 MWe					5.5 MWe

STEP 3

List all fuels currently burned or expected to be burned, by the unit and the percent sulfur content by weight of each.

0.05 CA9
2/24/2006

Fuel (current)	Sulfur Content (current)	Fuel (expected)	Sulfur Content (expected)
#2 Fuel Oil	%		%
	%		%
	%		%

STEP 4

Identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.7(a).

January 1, 2003

STEP 5

Read the special provisions.

Special Provisions

- (1) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under 40 CFR 72.7 shall (i) comply with the requirements of 40 CFR 72.7(a) for all periods for which the unit is exempt under 40 CFR 72.7 and (ii) comply with the requirements of the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
- (2) For any period for which a unit is exempt under 40 CFR 72.7, the unit is not an affected unit under the Acid Rain Program and 40 CFR parts 70 and 71 and is not eligible to be an opt-in source under 40 CFR part 74. As an unaffected unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR parts 70 and 71.
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 72.7 shall retain at the source that includes the unit records demonstrating that the requirements of 40 CFR 72.7(a) are met. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the Administrator or the permitting authority. Such records shall include, for each delivery of fuel to the unit or for fuel delivered to the unit continuously by pipeline, the type of fuel, the sulfur content, and the sulfur content of each sample taken. The owners and operators bear the burden of proof that the requirements of paragraph 40 CFR 72.7(a) are met.
- (4) On the earliest of the following dates, a unit exempt under 40 CFR 72.7(b), (c), or (e) shall lose its exemption and become an affected unit under the Acid Rain Program and 40 CFR parts 70 and 71: (i) the date on which the unit first serves one or more generators with total nameplate capacity in excess of 25 MWe; (ii) the date on which the unit burns any coal or coal-derived fuel except for coal-derived gaseous fuel with a total sulfur content no greater than natural gas; or (iii) January 1 of the year following the year in which the annual average sulfur content for gaseous fuel burned at the unit exceeds 0.05 percent by weight (as determined under 40 CFR 72.7(d)) or for nongaseous fuel burned at the unit exceeds 0.05 percent by weight (as determined under 40 CFR 72.7(d)). Notwithstanding 40 CFR 72.30(b) and (c), the designated representative for a unit that loses its exemption under 40 CFR 72.7 shall submit a complete Acid Rain permit application on the later of January 1, 1998 or 60 days after the first date on which the unit is no longer exempt. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under 40 CFR 72.7 shall be treated as a new unit that commenced commercial operation on the first date on which the unit is no longer exempt.

STEP 6
Read the appropriate
certification and sign
and date.


Certification (for designated representatives only)

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	
Signature	Date

Certification (for certifying officials only)

I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name BILL KOLAS, Mayor	
Signature 	Date

Certification (for additional certifying officials, if applicable)

I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

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Name	
Signature	Date



TITLE IV: ACID RAIN NEW UNIT EXEMPTION

In accordance with Titles IV and V of the Clean Air Act and Missouri State Rule 10 CSR 10-6.270, *Acid Rain Source Permits Required*, the State of Missouri exempts this unit from the requirements of the acid rain program, except for the requirements in 40 CFR §§72.2 through 72.7 and §§72.10 through 72.13.

Installation Name: Higginsville Municipal Power Plant
Project Number: 2006-02-036
Permit Number
ORIS Code: 2131
Unit ID: 6
Effective Date: January 1, 2003

This unit:

- serves one or more generators with a total nameplate capacity of 25 megawatts electric (MWe) or less;
- burns fuel that does not include any coal or coal-derived fuel (except coal-derived gaseous fuel with a total sulfur content no greater than natural gas); and
- burns fuel with a sulfur content of 0.05 percent or less by weight.

Therefore, per 40 CFR 72.7(a), it qualifies for an Acid Rain Program New Unit Exemption.

The owners and operators shall apply the procedures under 40 CFR 72.7(d) for all fuels used by this unit after the effective date above.

This new unit exemption remains in effect as long as the unit meets the criteria in 40 CFR 72.7(a). Per 40 CFR 72.7(f)(4)(ii), the designated representative must submit an acid rain permit application within sixty days of the date when the unit no longer meets these criteria.

Date

Director or Designee
Department of Natural Resources



New Unit Exemption

For more information, see instructions and refer to 40 CFR 72.7

This submission is: ☒ New ☐ Revised

Page 1

STEP 1

Identify the new unit by plant name, State, ORIS Code (if assigned) and unit ID#.

HIGGINSVILLE POWER PLANT Plant Name	MO State	2131 ORIS Code	6 Unit ID#
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STEP 2

List to one decimal place the nameplate capacity of each generator served by the unit. Then total these entries and enter the result.

					TOTAL
1.23 MWe	MWe	MWe	MWe	MWe	1.23 MWe

STEP 3

List all fuels currently burned or expected to be burned, by the unit and the percent sulfur content by weight of each.

0.05 CAS 2124/2006

Fuel (current)	Sulfur Content (current)	Fuel (expected)	Sulfur Content (expected)
#2 Fuel Oil	%		%
	%		%
	%		%

COPY

STEP 4

Identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.7(a).

January 1, 2003

STEP 5

Read the special provisions.

Special Provisions

(1) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under 40 CFR 72.7 shall (i) comply with the requirements of 40 CFR 72.7(a) for all periods for which the unit is exempt under 40 CFR 72.7 and (ii) comply with the requirements of the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.

(2) For any period for which a unit is exempt under 40 CFR 72.7, the unit is not an affected unit under the Acid Rain Program and 40 CFR parts 70 and 71 and is not eligible to be an opt-in source under 40 CFR part 74. As an unaffected unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR parts 70 and 71.

(3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 72.7 shall retain at the source that includes the unit records demonstrating that the requirements of 40 CFR 72.7(a) are met. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the Administrator or the permitting authority. Such records shall include, for each delivery of fuel to the unit or for fuel delivered to the unit continuously by pipeline, the type of fuel, the sulfur content, and the sulfur content of each sample taken. The owners and operators bear the burden of proof that the requirements of paragraph 40 CFR 72.7(a) are met.

(4) On the earliest of the following dates, a unit exempt under 40 CFR 72.7(b), (c), or (e) shall lose its exemption and become an affected unit under the Acid Rain Program and 40 CFR parts 70 and 71: (i) the date on which the unit first serves one or more generators with total nameplate capacity in excess of 25 MWe; (ii) the date on which the unit burns any coal or coal-derived fuel except for coal-derived gaseous fuel with a total sulfur content no greater than natural gas; or (iii) January 1 of the year following the year in which the annual average sulfur content for gaseous fuel burned at the unit exceeds 0.05 percent by weight (as determined under 40 CFR 72.7(d)) or for nongaseous fuel burned at the unit exceeds 0.05 percent by weight (as determined under 40 CFR 72.7(d)). Notwithstanding 40 CFR 72.30(b) and (c), the designated representative for a unit that loses its exemption under 40 CFR 72.7 shall submit a complete Acid Rain permit application on the later of January 1, 1998 or 60 days after the first date on which the unit is no longer exempt. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under 40 CFR 72.7 shall be treated as a new unit that commenced commercial operation on the first date on which the unit is no longer exempt.

HIGGINSVILLE POWER PLANT
Plant Name (from Step 1)

New Unit Exemption

Page 2

STEP 6
Read the appropriate
certification and sign
and date.


Certification (for designated representatives only)

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

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Name	BILL KOLAS, Mayor	
Signature		Date

Certification (for additional certifying officials, if applicable)

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Name	
Signature	Date

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Lee Barker
Electric Superintendent
Higginsville Municipal Power Plant
102 East 22nd Street
Higginsville, MO 64037

Re: Acid Rain Program, New Unit Exemptions for
Installation Name: Higginsville Municipal Power Plant
ORIS Code: 2131
Unit IDs: 5 and 6
Project Number: 2006-02-036

Dear Mr. Barker:

The Department of Natural Resources, Air Pollution Control Program, has completed its review of your application for New Unit Exemptions for these units under the Acid Rain Program. Pursuant to 40 CFR 72.7(a), these units each serve one or more generators with a total nameplate capacity of 25 megawatts electric (MWe) or less and burn only fuels with a sulfur content of 0.05 percent or less by weight. This application is complete and is *accepted*. Please note that you are required to operate your installation under the terms as submitted and outlined in your application. It is very important that you read and understand this legal document.

These units remain exempt for as long as they continue to meet the new unit exemption qualifications in federal regulation 40 CFR 72.7(a).

If you have any questions regarding this matter, please contact the Air Pollution Control Program Operating Permits Unit at (573) 751-4817, or you may write to the Department of Natural Resources, Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102. Thank you for your time and attention.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

Michael J. Stansfield, P.E.
Operating Permit Unit Chief

MJS:csk

Enclosures
c: Ms. Tamara Freeman, US EPA Region VII
Richard Vani, Kansas City Regional Office
PAMS File: 2006-02-036

CERTIFIED MAIL 70041160000081716961
RETURN RECEIPT REQUESTED

Lee Barker
Electric Superintendent
Higginsville Municipal Power Plant
102 East 22nd Street
Higginsville, MO 64037

Re: Acid Rain New Unit Exemptions – Project (PAMS): 2006-02-036

Dear Mr. Barker:

The Air Pollution Control Program (APCP) has completed the preliminary review of your application for Acid Rain (Title IV) New Unit Exemptions. A public notice will be placed in the Higginsville Advance on Friday, June 23, 2006.

The APCP will accept comments regarding the draft new unit exemptions that are postmarked on or before July 23, 2006. It is very important that you read and understand this legal document. You will be held responsible for complying with this document.

Please address comments or recommendations for changes to my attention at:

Operating Permits Unit
Air Pollution Control Program
P.O. Box 176
Jefferson City, MO 65102

A copy of this draft is also being sent to the U.S. EPA's Region VII office in Kansas City for their review. The Region VII office is afforded, by law, oversight authority on any Acid Rain (Title IV) New Unit Exemption which Missouri (or any

Mr. Lee Barker

Page Two

of the other states in the region) proposes to issue. A public hearing may be held if interest is expressed by the public.

Should you have any questions, or wish clarification on any items in this draft new unit exemption, please feel free to contact me at (573) 751-4817, or you may write to the Department of Natural Resources, Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

Cheryl Steffan
Environmental Engineer

CAS/kdm

Enclosure

c: Ms. Tamara Freeman, US EPA Region VII
Richard Vani, Kansas City Regional Office
PAMS File: 2006-02-036

Mr. Jan Sides, Director
Kansas Bureau of Air & Radiation
Forbes Field, Building 283
Topeka, KS 66620

RE: Affected States Review – Notification of Proposed Final Acid Rain New Unit Exemption

Dear Mr. Sides:

In accordance with Missouri State Rule 10 CSR 10-6.270, 40 CFR 72.65(b)(1)(ii). and the Clean Air Act, this letter is to notify you of public notice of the preliminary draft and request for comments for:

Higginsville Municipal Power Plant located in Higginsville, MO 64037

Project Number – 2006-02-036

Public notice will be published in the Higginsville Advance in Higginsville, MO on Friday, June 23, 2006.

You are invited to submit any relevant information, materials, and views in support of or in opposition to these draft new unit exemption(s) in writing by no later than July 23, 2006 to my attention at Missouri Department of Natural Resources, Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102.

Should you require further information or documentation on this matter, please contact the Operating Permits Unit at (573) 751-4817, or you may write to the Department of Natural Resources, Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102. Thank you for your time and attention.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

Michael J. Stansfield, P.E.
Operating Permit Unit Chief

MJS:csk

c: Richard Vani, Kansas City Regional Office
PAMS File: 2006-02-036

For Publication on June 23, 2006

Notice of documents available for public viewing
Department of Natural Resources
Division of Environmental Quality
Air Pollution Control Program

Draft-Acid Rain New Unit Exemption(s) have been issued for the following air pollution sources:

Installation	City	Project #
Higginsville Municipal Power Plant	Higginsville	2006-02-036

Copies of the draft new unit exemption(s) are available for public comment. Public files containing copies of all non-confidential materials and a copy or summary of other materials, if any, considered in the draft new unit exemption(s), are available for public viewing at the following locations: MO Dept. of Natural Resources, Kansas city Regional Office, 500 NE Cobern Road, Lee's Summit, MO 64086-4710 or by written request from the Air Pollution Control Program, Operating Permits Unit, P.O. Box 176, Jefferson City, MO 65102 (Information deemed confidential business information pursuant to Missouri State Rule 10 CSR 10-6.210, *Confidential Information*, if any exists, is not included in the public files. Emission data, as defined by this rule, cannot be considered confidential business information.)

The file is available for viewing through July 23, 2006. Citizens are invited to submit any relevant information, materials, and views in support of or in opposition to the draft new unit exemption(s) in writing no later than July 23, 2006. Written comments and/or requests for public hearing should be sent to Mr. Jim Kavanaugh, Missouri Department of Natural Resources, Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102.

The Air Pollution Control Program will hold an informal public hearing after an additional 30 day comment period on the draft new unit exemption(s) if: 1) A timely request is made for such a hearing during the public comment period; and 2) The person requesting the hearing identifies material issues concerning the preliminary determination and the Air Pollution Control Program determines that a public hearing will be useful in resolving those issues.

This public notice is made pursuant to Missouri State Rule 10 CSR 10-6.270, *Acid Rain Source Permits Required*.

Higginsville Advance
3002 Highway 13
PO Box 422
Higginsville MO 64037

Attention: Legal Ads

To Whom It May Concern:

We wish to place the attached legal advertisement in your newspaper to be run ONCE. It must run on Friday, June 23, 2006.

We require a certified affidavit of publication. This must be received by our office by July 7, 2006. Please submit the affidavit and invoice for payment to:

Attention: Cheri Bechtel
Department of Natural Resources
Air Pollution Control Program
P. O. Box 176
Jefferson City, MO 65102

If you have any questions, please contact me at (573) 751-4817. Thank you for your assistance.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

Michael J. Stansfield, P.E.
Operating Permits Unit Chief

MJS/csk

c: Cheri Bechtel, Procurement Clerk
PAMS File: 2006-02-036

MISSOURI DEPARTMENT OF NATURAL RESOURCES FOLDER TRANSMITTAL ROUTING SHEET		Document #: Division Log #: Program Log #:
DEADLINE: Date Penalty for Missing Deadline: None		
Higginsville Municipal Power Plant		2006-02-036
Originator: Cheryl Steffan		Telephone: (573) 751-4817
Typist: Karla Marshall		Date:
File Name: P:\APCP\Permits\Users\Mike Stansfield\Permits under Executive Review/Reviewed/2006-02-036 AR-NUE Higginsville Municipal Power Plant.doc		
FOR SIGNATURE APPROVAL OF:		
<input type="checkbox"/> DNR Director <input type="checkbox"/> DNR Deputy Director <input type="checkbox"/> Division Director <input type="checkbox"/> Division Deputy Director X Other: James L. Kavanaugh		
PROGRAM APPROVAL: Approved by: _____ Program: <u>APCP</u> Date: _____		
Other Program Approval (Section/Unit): _____ Date: _____		
Comments: _____		
ROUTE TO:		
<input type="checkbox"/> DIVISION DIRECTOR APPROVAL: _____		Date: _____
Comments: _____		
<input type="checkbox"/> FINANCIAL REVIEW – DIVISION OF ADMINISTRATIVE SUPPORT:		
DAS Director: _____		Date: _____
<input type="checkbox"/> Fee Worksheet Received By: _____		Date: _____
Accounting: _____		Date: _____
Budget: _____		Date: _____
General Services: _____		Date: _____
Internal Audit: _____		Date: _____
Purchasing: _____		Date: _____
Comments: _____		
<input type="checkbox"/> LEGAL REVIEW:		
<input type="checkbox"/> General Counsel: _____		Date: _____
<input type="checkbox"/> AGO: _____		Date: _____
Comments: _____		
<input type="checkbox"/> DEPARTMENT DIRECTOR APPROVAL: _____		Date: _____
Comments: _____		
<input type="checkbox"/> NOTARIZATION NEEDED		
		INITIALS/DATE